

CONSERVATION COMMISSION MEETING MINUTES

AUGUST 29, 2006

PRESENT: Shawn Costello, David Hurley, James Gage, Walter Moody, Jesse Amsel and George Nickerson

ABSENT: Glenn Eberly

STAFF

PRESENT: Rob Phillips, Town Planner & Reanna Goodreau, Recording Secretary

I. CALL TO ORDER:

Chairman Costello called the Ellington Conservation Commission meeting to order at 7:00 PM.

II. PUBLIC COMMENTS: NONE

III. UNFINISHED BUSINESS:

1. Review of the open space proposal for the 12 Jobs Hill Road Subdivision located at 12 Jobs Hill Road, APN 072-001-0000 (6 lots, 17.806 acres)

Wes Wentworth, design engineer, briefly reviewed the proposal noting that the commission requested continuing last month's discussion to tonight to allow for individual site visits. Chairman Costello stated that he had walked the site.

Commissioner Amsel noted that the parcel has been farmed and would like to see some of the land preserved, especially along Jobs Hill Road since there are existing farms in that area. Chairman Costello stated that he does not see the need for the land and that he supports fee in-lieu of open space; Commissioner Moody agreed.

MOVED (MOODY), SECONDED (NICKERSON) AND PASSED (NAY: AMSEL) TO RECOMMEND THAT THE PLANNING & ZONING COMMISSION ACCEPT FEE IN-LIEU OF OPEN SPACE FOR THE 12 JOBS HILL ROAD SUBDIVISION.

BY CONSENSUS, THE COMMISSION AGREED TO GO OUT OF AGENDA TO ADDRESS NEW BUSINESS.

IV. NEW BUSINESS:

1. Review of the open space proposal for the Sullivan Subdivision located on Hoffman Road and Punkin Drive, APN 072-001-0000 (2 lots, 14.63 acres)

Mark Peterson, engineer, explained that the proposal is for a two lot subdivision that has frontage on Hoffman Road and Punkin Drive. He stated that the entire parcel is 24 acres, but that prior to the subdivision, some land will be combined with two existing properties, which leaves 14 ½ acres for the two lots to be subdivided. Mr. Peterson noted that some of the property is open field, the rear of the proposed lot along Hoffman Road is a brook and associated wetlands and the land past the wetlands is wooded and the land becomes steep.

Mr. Peterson stated that a conservation easement is being proposed along Bahler's Brook, which encompasses 1.95 acres, which they would like to serve as the open space requirement. Chairman Costello noted that the commission only considers fee in-lieu of open space (FILO) or land to be deeded to the town or other acceptable entity. He also noted that the Inland Wetlands Agency (IWA) has jurisdiction over the 100' regulated area from the watercourse and wetlands. Rob Phillips, Town Planner, noted that they could combine the FILO with the conservation easement, but the easement itself would not satisfy the requirement.

Chairman Costello noted that he supported the FILO since there are no other adjacent parcels, trails or wildlife corridors. Commissioner Moody noted that he drove by the site and did not note any areas of significant interest to protect. He stated that the IWA does a good job protecting watercourses and sensitive wetlands areas.

MOVED (AMSEL), SECONDED (MOODY) AND PASSED UNANIMOUSLY TO RECOMMEND THAT THE PLANNING & ZONING COMMISSION ACCEPT FEE IN-LIEU OF OPEN SPACE FOR THE SULLIVAN SUBDIVISION.

2. Discussion with a representative of the Willimantic River Alliance regarding the Willimantic River Greenway Trail extension into Ellington

Ingrid Aarestad, member of the Willimantic River Alliance Board of Directors and chair of the Stafford Conservation Commission, stated that the Stafford Conservation Commission has been working on creating a trail on town-owned land, which abuts the Town of Ellington. Ms. Aarestad asked the commission where they are with a trail along the Willimantic River. Chairman Costello explained that the commission has no funding and needs to secure permission from landowners in order to create a trail.

MOVED (COSTELLO), SECONDED (MOODY) AND PASSED UNANIMOUSLY TO ADD TO THE AGENDA "EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING REAL ESTATE PURCHASES" AND ENTERED INTO EXECUTIVE SESSION AT 7:25 PM. THOSE PRESENT WERE: INGRID AARESTAD (WILLIMANTIC RIVER ALLIANCE BOARD MEMBER & STAFFORD CONSERVATION COMMISSION CHAIR), SHAWN COSTELLO, JAMES GAGE, JESSE AMSEL, DAVID HURLEY, WALTER MOODY, GEORGE NICKERSON, ROB PHILLIPS & REANNA GOODREAU.

MOVED (COSTELLO), SECONDED (MOODY) AND PASSED UNANIMOUSLY TO ADJOURN EXECUTIVE SESSION AT 7:30 PM.

The commission discussed the status of the Stafford trail with Ms. Aarestad. Commissioner Hurley noted that if Ellington moves forward with creating a trail, they should coordinate with Tolland so that trails would connect at town boundaries. Ms. Aarestad asked if she could approach landowners in Ellington to gauge their interest in selling land or giving easements to allow for a trail.

BY CONSENSUS, THE COMMISSION AGREED THAT MS. AARESTAD COULD APPROACH LANDOWNERS ALONG THE WILLIMANTIC RIVER GREENWAY TO ASSESS THEIR INTEREST IN SELLING OR ALLOWING EASEMENTS FOR THE CREATION OF A TRAIL. THE COMMISSION REQUESTED THAT MS. AARESTAD REPORT HER FINDINGS TO THE COMMISSION.

THE COMMISSION RETURNED TO ORIGINAL AGENDA ORDER.

III. UNFINISHED BUSINESS:

2. Discussion of the impacts of Routes 140 & 30 on Crystal Lake

Chairman Costello stated that he met with Paul Corrente from the Department of Transportation (DOT) and Wesley March from the Department of Environmental Protection (DEP) regarding his concerns about the stormwater impacts to Crystal Lake. The commission discussed how the degradation of Crystal Lake is a difficult issue to address because there are many contributing factors, which include town roads, state roads, private roads and another municipality.

Chairman Costello noted that Mr. Marsh met with representatives from the Town of Ellington in order to address the Crystal Lake dam and stated that the Stafford First Selectman was invited, but did not attend. He distributed a copy of a memo that Mr. Marsh wrote following the meeting. Chairman Costello asked staff to write a letter to the Board of Selectmen and copy the Public Works Director asking the status of the dam.

3. Disposition of funds when the Town sells land

Rob Philips stated that he contacted Dave Askew from the North Central Conservation District about this topic and noted that this question has been posed to him before. Mr. Askew explained that conservation commissions have no independent authority and that they need to work with the Board of Selectmen to create a policy for the disposition of funds when the Town sells land.

Commissioner Gage noted that the Town has signed the purchase and sales agreement with the DEP. He stated that the \$333,000 from this sale must be used to purchase additional open space properties. He noted that the agreement stipulates that the Town must inform the DEP of the locations of the property(s) to be purchased. The agreement also stipulates that the properties should be in the same area, if possible. All this must be done prior to closing. Chairman Costello noted that it seems like the DEP wants the Town to do the legwork and then just purchase the land after everything has been done. Commissioner Moody stated he didn't have a problem with that. Commissioner Hurley inquired about using additional DEP grants to purchase these properties, especially since the grant for properties being sold wasn't used in the end. Commissioner Hurley stated that he would look into seeing if the Town could leverage

the unused grant to purchase the additional properties. Chairman Costello asked that an executive session be placed on next month's agenda to discuss real estates purchases with the monies to be received for the Porter Road properties.

4. Development of deed restrictions and policies for town-owned open space and properties

Rob Phillips stated that he spoke with Fran Armentano, Granby Town Planner, about how Granby requires two entities with deeded rights over town-owned property. Mr. Armentano stated that this practice is only used with their flexible residential design regulation, which Ellington does not currently have.

Commissioner Hurley stated that he is contacting an attorney who specializes in deed restriction to discuss language that would be helpful for the town to include in open space deeds. Mr. Phillips stated that the commission would need to have the Board of Selectmen adopt a policy for deed restrictions.

V. ADMINISTRATIVE BUSINESS:

1. Approval of the July 25, 2006 Meeting Minutes:

MOVED (HURLEY), SECONDED (MOODY) AND PASSED UNANIMOUSLY TO APPROVE THE JULY 25, 2006 MEETING MINUTES.

2. Correspondence:
 - a. Council on Environmental Quality 2005 Annual Report
 - b. College of Agriculture and Natural Resources Journal, Summer 2006

SO NOTED.

MOVED (COSTELLO), SECONDED (HURLEY) AND PASSED UNANIMOUSLY TO ADD TO THE AGENDA: ADDING ALTERNATE MEMBERS TO THE CONSERVATION COMMISSION, STATUS OF THE OPEN SPACE ACCOUNT OVER THE PAST THREE YEARS AND BONDING FOR OPEN SPACE.

3. Adding alternate members to the Conservation Commission

Chairman Costello expressed his desire to have alternate members for the commission. The commission discussed the advantages of having alternate members.

BY CONSENSUS, THE COMMISSION AGREED THAT THERE SHOULD BE TWO ALTERNATE MEMBERS TO THE CONSERVATION COMMISSION. THE MEMBERS REQUESTED THAT STAFF FORWARD LETTER TO THE CHARTER REVISION COMMISSION REQUESTING THAT THEY INCLUDE ADDING TWO ALTERNATE MEMBERS TO THE CONSERVATION COMMISSION AS PART OF THE CHARTER REVISION.

4. Status of the Open Space Account over the past three years

Chairman Costello stated that he would like a report of the open space account from the past three years from the Finance Officer. He wanted it to include all deposits and withdrawals. Chairman Costello asked that this item be added to September's agenda.

5. Bonding for Open Space

Chairman Costello expressed his frustration with not being able to secure a bond referendum for open space when many surrounding towns have. The commission discussed the August Board of Selectmen (BOS) meeting, where the referendum was voted on. Chairman Costello noted that he was not allowed to speak at the meeting as he was considered "out of order", but that some members of the BOS supported the Conservation Commission stance that open space and municipal use should not be combined, or at least, a specific amount should be appropriated for each. He noted that the vote failed.

VI. ADJOURNMENT:

MOVED (AMSEL), SECONDED (MOODY) AND PASSED UNANIMOUSLY TO ADJOURN THE MEETING AT 9:01 PM.

Respectfully submitted,

Reanna Goodreau
Recording Secretary